

(counsel of record on following page)

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA- SACRAMENTO DIVISION**

EFREN LINARES, individually, and on  
behalf of all others similarly situated, and on  
behalf of the State of California and  
aggrieved employees pursuant to the Private  
Attorneys General Act,

Plaintiff,

vs.

ABM INDUSTRY GROUPS, LLC.,  
FLOWERS BAKING CO. OF MODESTO,  
LLC., and DOES 1 through 50, inclusive;

Defendants.

Case No.: 1:22-cv-00816-TLN-CKD

**CLASS ACTION**

**JOINT STIPULATION TO ADJUST  
SCHEDULING ORDER**

*Before the Honorable Troy L. Nunley and Carolyn  
K. Delaney*

Complaint filed: July 1, 2022

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20 ABM INDUSTRY GROUPS, LLC.  
21 AND FLOWERS BAKING CO.  
OF MODESTO, LLC

**JOINT STIPULATION**

Plaintiff EFREN LINARES and Defendants ABM INDUSTRY GROUPS, LLC and FLOWERS BAKING CO. OF MODESTO, LLC (together, “Defendants”) (Plaintiff and Defendants collectively referred to as the “Parties”), through their respective attorneys of record, hereby stipulate and agree as follows:

WHEREAS, this matter is a putative class, collective, and Private Attorneys General Act (“PAGA”) action based primarily upon Plaintiff’s allegations that Defendants fail to pay overtime wages at the regular rate of pay.

WHEREAS, Plaintiff filed his Motion for Class Certification on December 16, 2024 (ECF No. 44);

WHEREAS, the Parties previously stipulated to, and this Court approved, two extensions on Defendants’ deadline to file their Opposition to Class Certification (ECF Nos. 46 and 48);

WHEREAS, Plaintiff’s Reply Brief is currently due on April 14, 2025;

WHEREAS, the Parties agree that, based on the previous extensions granted to Defendants, Plaintiff be granted a three-week extension to file his Reply Brief, until May 5, 2025;

WHEREAS, the Court recently vacated the hearing on the Motion for Class Certification (ECF No. 50);

WHEREFOR, pursuant to the Parties’ agreement and this stipulation, the Parties ask the Court to adjust the Scheduling Order as follows: That the deadline to file Plaintiff’s Reply Brief be continued from April 14, 2025 to May 5, 2025.

**IT IS SO STIPULATED.**

DATED: April 10, 2025

By: /s/ Dan Keller  
Stan Mallison  
Hector Martinez  
Dan Keller  
Attorneys for Plaintiff

DATED: April 10, 2025

By: /s/ Alexander Chemers  
Alexander Chemers  
Paul M. Smith  
Attorneys for Defendants

**ORDER**

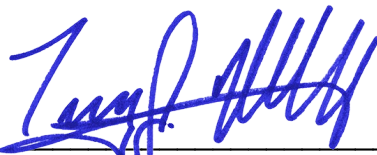
The Court, having reviewed the foregoing stipulation, and good cause appearing, hereby  
**ORDERS** as follows:

The Court's Class Action Scheduling Order issued on January 23, 2024 (ECF No. 36) is hereby adjusted as follows:

1. Plaintiff's Reply Brief in support of Class Certification is due by May 5, 2025 (previously April 14, 2025).

**IT IS SO ORDERED.**

Dated: April 10, 2025

  
\_\_\_\_\_  
Troy L. Nunley  
Chief United States District Judge

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